

### **REMARKS/ARGUMENTS**

The claims are 4-5. Claims 1-3 have been canceled in favor of new claim 5 to better define the invention, and claim 4, which previously depended on claim 1, has been amended to depend on claim 5 and to improve its form. The Specification has been amended to insert headings as requested by the Examiner. Reconsideration is expressly requested.

The Specification was objected to as lacking headings. In response, Applicant has amended the Specification to correct this informality. It is respectfully submitted that this amendment overcomes the objection of the Examiner to the Specification, and Applicant respectfully requests that the objection to the Specification be withdrawn.

Claim 1 was objected to on formal grounds set forth on page 3 of the Office Action, and claims 1 and 4 were rejected under 35 U.S.C. §112, second paragraph for the reasons also set forth on page 3 of the Office Action.

In response, Applicant has canceled claims 1-3 in favor of new claim 5, and has amended claim 4 to improve its form. It is

respectfully submitted that all currently pending claims fully comply with 35 U.S.C. §112, second paragraph.

Claims 1-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Poliakine*, U.S. Patent Application Publication No. 2003/0146891. Essentially, the Examiner's position was that *Poliakine* discloses the LCD billboard recited in the claims, except for motorized activation means for tilting, flipping, pulling the lighting device away, and having only two positions with reference to the billboard, which was considered within the skill of the art.

This rejection is respectfully traversed.

As set forth in new claim 5, Applicant's invention provides a large-area LCD billboard for outdoor advertising, including a board having a viewer side, an artificial lighting device provided on the board, motorized activation means connected to the lighting device for physically moving the lighting device out of a beam path of the sunlight falling on the board by tilting, flipping or pulling the lighting device away from the beam path, and a control system with a light sensor activating the activation means.

The viewer side of the board includes receptive LCD elements having a luminosity dependent on intensity and direction of lighting, and the artificial lighting device provided on the board includes a plurality of lamps for illuminating the board from the viewer side for periods when sunlight falling on the board is insufficient.

In this way, Applicant's invention provides a large-area LCD billboard for outdoor advertising in which lighting means is moved out of the beam path of the sunlight that falls onto the billboard in times of sufficient sunlight so that no shadows are cast. In this way, the result is achieved that the lighting device can optimally fulfill its task of reinforcing brightness and colors of the LCD elements in such a manner that the advertising motif in each instance is visible at a distance when the daylight is insufficient. In addition, the lighting device does not cast a shadow onto the billboard when the sunlight is sufficient because it is not situated in the beam path between sun and billboard.

Although *Poliakine* discloses an electronic billboard and related lighting, as the Examiner has recognized *Poliakine* fails to disclose or suggest motorized adjustability of the lighting means. Obviously, *Poliakine* did not even notice what a

disadvantage the lamps represented if the billboard is operated during the day and during sunlight.

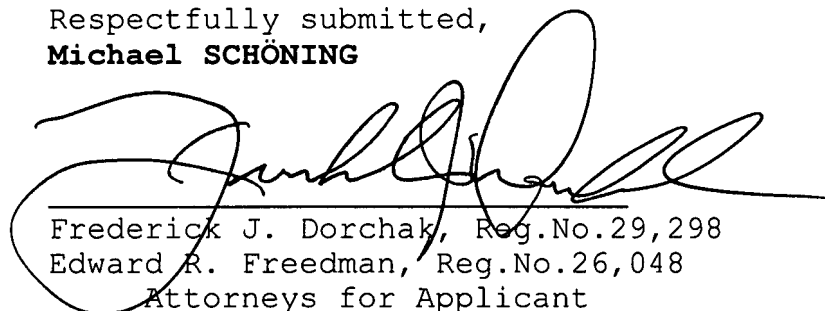
In contrast, Applicant has recognized that the lamps are visible on the billboards as shadows when the sun shines, and that the esthetic effect of the billboard image is significantly impaired thereby. In order to counter this disadvantage, Applicant's large-area LCD billboard for outdoor advertising automatically pivots the lamps away during the period of sunshine, in such a manner that they cannot cast a shadow on the billboard. The electronic means required for this purpose may itself belong to the tools of a person skilled in the art but, it is respectfully submitted, that one of ordinary skill in the art would be unable to derive any indication from *Poliakine* that it is possible to achieve an image free of shadows when the sun is shining, and, at the same time, an optical effect of the lamps when there is no sunlight, by means of the pivotability of the lamps as recited in Applicant's new claim 5.

Accordingly, it is respectfully submitted that new claim 5, together with claim 4 which depends thereon, are patentable over *Poliakine*.

In summary, claim 4 has been amended, claims 1-3 have been canceled, and new claim 5 has been added. The Specification has also been amended.

In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

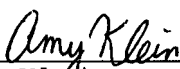
Respectfully submitted,  
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Amy Klein

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